



6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA-R03-OAR-2012-0042; FRL-9702-2]**

**Approval and Promulgation of Air Quality Implementation Plans; Maryland;  
Offset Lithographic Printing and Letterpress Printing Regulations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Maryland. The revision pertains to amendments to the Code of Maryland (COMAR) 26.11.19.11, Lithographic and Letterpress Printing. EPA is approving the revision to meet the requirements to adopt Reasonably Available Control Technology (RACT) for sources covered by EPA's Control Techniques Guidelines (CTG) for offset lithographic printing and letterpress printing in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on [insert date 30 days from date of publication].

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA-R03-OAR-2012-0042. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) website. Although listed in the electronic docket, some information is not publicly available, i.e., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through [www.regulations.gov](http://www.regulations.gov) or in hard copy for public inspection

during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

**FOR FURTHER INFORMATION CONTACT:** Asrah Khadr, (215) 814- 2071, or by e-mail at khadr.asrah@epa.gov.

## **SUPPLEMENTARY INFORMATION:**

### **I. Background**

On May 14, 2012 (77 FR 28336), EPA published a notice of proposed rulemaking (NPR) for the State of Maryland. The NPR proposed approval of amendments to COMAR 26.11.19.11, Lithographic and Letterpress Printing. The amendments adopt EPA's CTG for lithographic and letterpress printing. The formal SIP revision (#11-09) was submitted by the Maryland Department of the Environment (MDE) on December 15, 2011. Additional background information behind this SIP revision is discussed in detail in the NPR.

### **II. Summary of SIP Revision**

This SIP revision consists of amendments to COMAR 26.11.19.11 to adopt a new CTG for offset lithographic printers and letterpress printers, entitled Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing (*see* EPA 453/R-06-002). A detailed summary of EPA's review of and rationale for approving this SIP revision may be found in the TSD for this action which is available in the docket. No public comments were received on the NPR.

### **III. Final Action**

EPA is approving the Maryland SIP revision which adopts the CTG standards for offset lithographic printing and letterpress printing into the Code of Maryland.

### **IV. Statutory and Executive Order Reviews**

#### **A. General Requirements**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

## **B. Submission to Congress and the Comptroller General**

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the Federal Register. A major rule cannot take effect until 60 days after it is

published in the Federal Register. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

### **C. Petitions for Judicial Review**

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by [Insert date 60 days from date of publication of this document in the Federal Register]. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action pertaining to the amendments of the Code of Maryland to adopt EPA’s CTG for lithographic printing and letterpress printing, may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2) of the CAA.)

### **List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: July 10, 2012

W. C. Early, Acting  
Regional Administrator,  
Region III.

Therefore, 40 CFR part 52 is amended as follows:

PART 52 - [AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

2. In § 52.1070, the table in paragraph (c) is amended by revising the entry for COMAR

26.11.19.11 to read as follows:

**§ 52.1070 Identification of plan.**

\* \* \* \* \*

(c)\* \* \*

EPA-Approved Regulations, Technical Memoranda, and Statutes in the Maryland SIP

| Code of Maryland Administrative Regulations (COMAR) citation | Title/subject   | State effective date | EPA approval date  | Additional explanation/ citation at 40 CFR 52.1100                            |
|--|---|----------------------|--|---|
| * * * * *  |   |                      |  |   |
| <b>26.11.19</b>  | <b>Volatile Organic Compounds from Specific Processes</b> |                      |  |   |
| * * * * *  |   |                      |  |   |
| 26.11.19.11  | Lithographic and Letterpress Printing                     | 10/31/11             | [Insert Federal Register publication date]<br>[Insert page number where the document begins] | Sections .11A through .11E are revised; sections .11F through .11H are added. |
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[FR Doc. 2012-17762 Filed 07/20/2012 at 8:45 am; Publication Date: 07/23/2012]